

May 9, 2012

Commissioner Edward Drusina
United States International Boundary and Water Commission (USIBWC)
The Commons, Building C, Suite 100
4171 N. Mesa Street
El Paso, Texas 79902-1441

RE: Concerns Regarding South Bay Treatment Plant Sewage Spill

Dear Commissioner Drusina:

We write to you as members of the USIBWC's San Diego Citizens Forum Board (Board) to share our concerns related to the 2 million gallon sewage spill that occurred at the South Bay International Wastewater Treatment Plant (SBIWTP) on April 4, 2012. Specifically, we are concerned by the lack of a public advisory being issued following the spill, the USIBWC's media statements regarding the quality of river flow, and the fact that the river diversion system was turned off unnecessarily at the request of the Commission for 28 days following the spill- directly resulting in beach closures in Imperial Beach and Silver Strand.

On April 4, a 2 million gallon spill of untreated wastewater occurred from 12:30 a.m. until 3:00 a.m. The spill was due to a software malfunction and operator error by Veolia. The operator during the spill failed to take timely action to prevent it. According to the spill report, the sewage did not reach the Pacific Ocean. However it did reach the Tijuana River Valley, which is frequented by ranchers, farmers, equestrians and hikers. According to the USIBWC's office of Public Affairs, the spill report was provided to numerous state and local agencies and regulators, including the San Diego County Department of Environmental Health (County DEH), which is responsible for posting beach closure notices. Yet USIBWC did not issue a press release and neither the general public nor the board were notified of this incident.

To prevent additional spills of untreated sewage into the Tijuana River during periods of peak flow, pump operations in Mexico were changed at USIBWC's request. As a result, river flows between 30 and 25 MGD crossed the border, entered the river valley, and reached the Pacific Ocean. Approximately 6-10 MGD of this flow is high quality treated effluent from Mexican wastewater treatment plants; the remainder is non-point source runoff. Contrary to what was stated in an IBWC email to the Board on April 12, the quality of flows in the Tijuana River upon entry to the United States is unknown since there is no regular sampling. In fact, the little water quality data that has been collected suggests unsafe levels of pollutants. County DEH continues to consider any flow in the Tijuana River as a public health threat and will issue beach closures and public advisories when the river impacts recreational areas. Until water quality data suggests otherwise,

we would like to request that the USIBWC treat all cross-border flows as a potential threat to public health. We would like the USIBWC's statements to the media to reflect this as well. It sends a confusing message to the public when the USIBWC issues statements that contradict the actions of local health authorities.

In conclusion, the Board recommends that the USIBWC consider the following four actions:

1. Establish an operating procedure to inform stakeholder agencies, the Board and the general public of sewage spills from the SBIWTP, and those from Mexico that have potential trans-border impacts to the Tijuana River Valley and/or San Diego County beaches. The Commission should consider improving the USIBWC website to include a spill notification system and a notification of non-standard operating plant procedures.
2. Take regular water quality samples of all significant trans-border flow at Dairy Mart Bridge, Yogurt Canyon and all canyon collectors (Smuggler's Gulch, Goat Canyon, Stewart's Drain, Canyon del Sol, and Silva Drain).
3. Until water quality data suggests otherwise, treat all cross-border flows as a health threat. This should also be communicated to the public through USIBWC's statements to the media.
4. Create a formal agreement with Mexico as to when specifically the river diversion system should be in operation.

We appreciate the opportunity that the USIBWC has afforded us through the Citizens Forum Board to voice these concerns and recommendations. We look forward to continuing to provide you and your staff feedback on the Commission's work, including our ideas, concerns and recommendations. If you have any questions please contact us. We look forward to your response to this letter.

Sincerely,

Ben McCue
Citizens Forum Board Co-Chair

Mark West
Citizens Forum Board Member

Aaron Allen
Citizens Forum Board Member

Paloma Aguirre
Citizens Forum Board Member (Alternate)

Robert Scott
Citizens Forum Board Member

Scott Huth
Citizens Forum Board Member

Paul Ganster
Citizens Forum Board Member

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CILA General Director Mexican Commissioner Jose Arturo Herrera Solis

CILA Tijuana Office Representative Roberto Espinosa Mora

Hon. Senator Dianne Feinstein

US Environmental Protection Agency U.S.-Mexico Office Doug Liden

San Diego Regional Water Quality Control Board Executive Officer David Gibson

San Diego County Supervisor Greg Cox

San Diego County Chief of Land and Water Quality Program Mark McPherson

City of Imperial Beach Mayor Jim Janney

City of Imperial Beach Manager Gary Brown

City of Imperial Beach Lifeguard Captain Robert Stabenow

City of Chula Vista Mayor Cheryl Cox

City of Coronado Mayor Casey Tanaka

City of San Diego Mayor Jerry Sanders

City of San Diego District 8 Representative David Alvarez

San Diego Coastkeeper

Surfrider San Diego

Environmental Health Coalition